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FEB 10 2012
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

5 Counsel for Defendant Kevin Yang
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 UNITED STATES,

Case No. CR 11-00472 RMW

12 Plaintiff,

**STIPULATION AND []
ORDER TO CONTINUE STATUS
HEARING**

13 v.

14 KEVIN CHEN CHIEH YANG,

Date: February 13, 2012
Time: 9:00 a.m.
Court: The Hon. Ronald M. Whyte

15 Defendant.

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18 It is hereby stipulated between the parties, Michael W. Armstrong, attorney for defendant,
19 Kevin Yang, and Assistant United States Attorney Allison Danner for the United States of
20 America, that the presently scheduled status hearing of February 13, 2012 be rescheduled to
21 Monday, March 5, 2012 at 9:00 a.m. before the Honorable Ronald M. Whyte.

22 The case was originally scheduled for February 6, 2012, and counsel received an order
23 from the court rescheduling the hearing for February 13, 2012. Defendant's counsel, Michael W.
24 Armstrong, is unavailable on that date and out of the state. The next date available to both counsel
25 is March 5, 2012.

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27 The parties agree that the time between February 13, 2012 through March 5, 2012 is
28 properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections

1 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

2 SO STIPULATED:

3 NOLAN, ARMSTRONG & BARTON

4

5 Dated: February 8, 2012

6 _____/s/_____

7 MICHAEL W. ARMSTRONG

8 Attorney for Defendant KEVIN YANG

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10 Dated: February 8, 2012

11 _____/s/_____

12 MELINDA HAAG

13 United States Attorney

14

15 Dated: February 8, 2012

16 _____/s/_____

17 ALLISON MARSTON DANNER

18 Assistant United States Attorney

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ORDER

23 For the foregoing reasons, the Court continues the next status conference in this case from
24 February 13, 2012 to March 5, 2012 at 9:00 a.m. For the reasons stated above, the Court further
25 finds that the ends of justice served by granting the requested continuance outweigh the best
26 interests of the public and the defendant in a speedy trial. See U.S.C. § 3161(h)(7)(A) and
27 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from February 13, 2012 through March 5,
28 2012.

SO ORDERED.

Dated: February J, 2012


THE HONORABLE RONALD M. WHYTE
JUDGE OF THE SUPERIOR COURT